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BUTZEL LONG
350 SOUTH MAIN STREET
SUITE 300
ANN ARBOR MI 48104

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OFFICE OF PETITIONS

In re Patent No. 7,122,024 :
Nakajima et al. :
Issue Date: October 17, 2006 : DECISION ON
Application No. 10/603,008 : PETITION
Filed: June 24, 2003 :
Attorney Docket No.121027-195 :

This is decision on the "PETITION TO PRINT ASSIGNEE NAME ON LETTERS PATENT" filed August 28, 2006, which is properly treated as a request under 37 CFR 3.81(b) for a Certificate of Correction to correct the patent to state the name of the assignee.

The petition is GRANTED.

Petitioner states that after payment of the Issue Fee applicants realized that the assignment from the inventors to UNI-CHARM CORPORATION was not recorded. Petitioner indicates that an assignment for recordation is being submitted contemporaneously via Express Mail.

37 CFR 3.81(b) provides that:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in

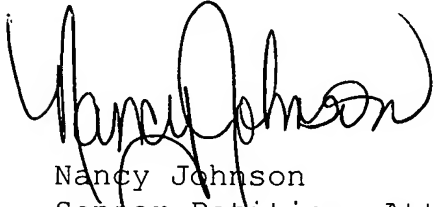
§ 1.20(a)) and the processing fee set forth in § 1.17 (i) of this chapter.

A review of the application history reveals that the Issue Fee transmittal was filed on August 24, 2006. No assignee was named on the transmittal. Assignment records for this application show that the assignment to UNI-CHARM CORPORATION was recorded in the Office on August 28, 2006 (at reel/frame 018242/0753). This was prior to issuance of the patent on October 17, 2006.

In view thereof, issuance of a Certificate of Correction to name the assignee is proper.

Petitioner authorized payment of a petition fee of \$400. Payment of the required \$130 processing fee and the required \$100 certificate of correction fee is acknowledged. The overpayment of \$170 is being refunded to petitioner's Deposit Account.

The file is being forwarded to the Certificates of Correction Branch for Issuance of the requested Certificate of Correction.

A handwritten signature in black ink, appearing to read "Nancy Johnson", is written over the typed name.

Nancy Johnson
Senior Petitions Attorney
Office of Petitions